

REMARKS

Claims 20 and 22 to 33 remain in the application. Claims 20, 22 to 33 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 20 and 22 to 33 stand rejected as anticipated.

Claims 20 and 22 to 33 stand rejected under 35 U.S.C. § 112 second paragraph. The Examiner pointed out that Claims 25 and 26 depend from a canceled claim and suggested that these claims should depend from Claim 20. The Examiner was correct, and Applicant has amended Claims 25 and 26 to depend from Claim 20. Accordingly, Applicant requests reconsideration and withdrawal of the § 112, second paragraph rejections of Claims 25 and 26.

While Claims 20, 22 to 24, and 27 to 33 were also rejected under §112, second paragraph, no basis or rationale was given for the rejection. Accordingly, Applicant has assumed that the rejection included a typographical error and should have been limited to Claims 25 and 26. Therefore, Applicant requests reconsideration and withdrawal of the § 112, second paragraph rejection of Claims 20, 22 to 24, and 27 to 33.

Applicant has also amended Claims 20 and 27 to include a further definition of the hardware control blocks. Applicant notes that the original claims recited that both hardware control blocks included a "sister hardware I/O control block field." This is a particular type of field and as taught in the specification at least at

Returning to check operation 303, if sister SCB site field 176 contains a valid SCB identification number, check operation 303 transfers to copy SCB operation 304. In copy SCB operation 304, sequencer 120 copies new SCB 475 to the storage site in SCB array 140 identified by the SCB identification number in sister SCB site field 176 of new SCB 475. Hence, operation 120 creates SCB 480 in storage site 142 as illustrated in Fig. 4B. In one embodiment, the complete SCB is copied, while in another

embodiment, everything is copied except fields 176 and 177. Upon completion of the copy, copy SCB operation 304 transfers to update copy sister field operation 305.

Specification, pg. 16, lines 1 to 14.

To move the prosecution forward and prevent discussion on whether the Examiner was being asked to read limitations into the Claim from the specification, Applicant has amended Claims 20 and 27 to include the inherent property of a hardware control block that included the sister hardware I/O control block field as recited in the claims. Applicant respectfully submits that when the claims were interpreted in view of the specification that this should have been considered and so does not require consideration of new issues or a new search.

Applicant(s) have amended the description to properly reflect the status of the U.S. Patents and Patent Applications cited therein, as requested by the Examiner.

Claims 20 and 22 to 33 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,321,308, hereinafter referred to as Arnon. The MPEP requires:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." . . . "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required.

MPEP §2131, Eighth Edition, Rev. 2, p 2100-73 (May 2004).

Applicant respectfully notes that the Examiner cited to a "NEXT RECORD PRT" field and not a "a sister hardware I/O control block field." The function of the field relied upon by the Examiner is to identify a position of a next record in a

circular linked-list and not the function associated with the sister hardware I/O control block field. However, as noted above, Applicant has amended the claim to clarify that the second hardware I/O control block includes information copied from the first hardware I/O control block.

The Examiner has cited no teaching of such information in Arnon and has cited no motivation or suggestion of such information. Configuring a circular linked list fails to provide any reason for the hardware I/O control blocks as recited in Claims 20 and 27. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 20 and 27.

Claims 22 to 26 depend from Claim 20 and so distinguish over the cited reference for at least the same reasons as Claim 20. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 22 to 26.

Claims 28 to 33 depend from Claim 27 and so distinguish over the cited reference for at least the same reasons as Claim 20. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 22 to 26.

Claims 20, and 22 to 33 remain in the application. Claims 20 and 25 to 27 have been amended. Claims 1 to 19 and 21 were previously canceled. For the foregoing reasons, Applicant respectfully requests allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 13, 2004.



Attorney for Applicant(s)

October 13, 2004
Date of Signature

Respectfully submitted,



Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899
Tel.: (831) 655-0880